

MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center
31 West Main Street
Middletown, MD 21769

AGENDA
Monday, May 20, 2013
7:00 p.m.

- I. Public Comment
- II. Minutes of April 2013 Planning Commission meeting Approval
- III. Plan Review
 - Cross Stone Shopping Center Concept Plan Discussion
 - Subway property change of use plan Discussion/Approval
- IV. Zoning
 - Violations
- V. Miscellaneous
 - Wayfinding Signs proposal Discussion
- VI. Additional Public Comment

**** All requests to be on the Planning and Zoning Agenda must be received at the Middletown Planning and Zoning office in the Middletown Municipal Center, 31 W. Main Street, Middletown by noon on the Monday two weeks prior to the monthly meeting held on the third Monday of each month. All plans being submitted for review must be folded, although electronic plans are preferred.**

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

April 22, 2013

The regular meeting of the Middletown Planning Commission took place on Monday, April 22, 2013 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present were Chairman Carney, Commission members Bob Miller, Bob Smart, Rich Gallagher, Ron Forrester, Commissioner Chris Goodman, Bruce Carbaugh, Director of Operations & Construction and Cindy Unangst, Staff Planner.

I. PUBLIC COMMENT - none

II. Regular Meeting Minutes of March 18, 2013 – approved as submitted.

III. PLANS

Thompson Parking Lot Site Plan – Cindy stated that she received an updated Site Plan today on the Thompson parking lot. It was noted that the Board of Appeals did approve the parking lot as a special exception use in the R-2 district on March 27, 2013 with the following conditions: a)35-foot setback, b)separate entrance and exit as indicated by proper signage off East Green Street, c)parking space #12 by for compact car parking only, d)parking spaces 7 & 8 be eliminated due to guy wires, e)minimum 3-foot high shrub plantings at edge of pavement on both east and west sides of parking lot, f)signage above the west garage door on the apartment building and g)storm water management approval from Fred. Co.

Motion by Smart to approve the updated site plan as submitted conditional on Frederick County approving the storm water management plan for the property and on the staff planners' approval of the quantity of hollies for the screening of the parking lot, seconded by Miller. Motion carried (5-0).

Fire Department Activities Center Revised Site Plan – It was noted that the revised site plan shows revisions based on meeting the new energy code which required a vestibule be added to the front of the building. The locations of lighting on the building and for the parking areas has been added as well and are shown more clearly on the lighting plan which has been submitted with the revised site plan. Cindy advised that note #13 needs to be deleted as the in lieu of fee for the FRO was satisfied through the Primary School.

Motion by Smart to accept the revised site plan including the photometric diagram plan correcting the note changes as specified by the planner, seconded by Gallagher. Motion carried (4-0-2 – Goodman and Miller recused themselves as they are members of the Fire Dept).

Fire Department Activities Center Improvement Plan – Chairman Carney went over Bruce Carbaugh's comments in regards to the Improvement Plans. It was also noted that the signature block on the plans needed to be corrected.

Motion by Smart to approve the Improvement Plans conditional on Bruce Carbaugh's comments dated April 22, 2013 and the signature block being corrected, seconded by Forrester. Motion carried (4-0-2 – Goodman & Miller recused themselves).

Fire Department Station Concept Plan – Steve Leatherman with Frederick County Fire and Rescue and also a member of the Middletown Fire Dept., stated that the Middletown Fire Station building is a fully funded project through Frederick County Government. Mr. Leatherman stated that he and his team (which he introduced to the Planning Commission) have been working on designing the proposed Fire Station for several months now. Mr. Leatherman stated that they have come up with different designs and wanted to get the Planning Commission's input before going any further.

Chairman Carney asked if the conceptual design would be consistent with that of the neighboring residents, school and activities center. Commission member Smart stated that he was very pleased with how the design looks; it goes with Middletown now. The Commission asked what the time frame was on this. It was stated that they would like to have the project out to bid by the end of the year for construction in spring of 2014.

Valley Child Care Center Special Exception Use – Cindy stated that she received a special exception use for a child daycare center in the R-2 district at 30 East Green Street. Per Cindy's staff report the applicant is within all the Town and State guidelines for a daycare center.

Motion by Miller to recommend approval of the use to the BOA, seconded by Smart. Motion carried. (5-0).

Cross Stone Commons Shopping Center Special Exception Use - Cindy stated that owners of the Cross Stone Commons Shopping Center have submitted a special exception use for a shopping center in the GC district at the intersection of Middletown Parkway and Old National Pike.

Motion by Smart to recommend approval of the special exception use based on the materials submitted by the applicants, seconded by Gallagher. Motion carried (5-0).

IV. ZONING

Violations – none

V. MISCELLANEOUS

2012 Annual Report Draft –

Motion by Miller to send the 2012 Annual Report to the Town Board for their approval as submitted, seconded by Gallagher. Motion carried (4-0-1 – Goodman recused himself).

VI. ADDITIONAL PUBLIC COMMENTS – none

Meeting adjourned at 8:30pm.

Respectfully submitted,

Ann Griffin
Administrative Specialist

Middletown Planning Office

MEMORANDUM

Date: 5/9/2013

Hansen# n/a

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **CROSS STONE COMMONS CONCEPT PLAN**
Tax Map Parcel #03-0161587
Applicant: DMW and Lingg Property Consulting
Property Owner: Nancy Newton
Plan Dated: April 2013
Date Received: April 8, 2013

GENERAL INFORMATION

Proposal: Lots are to be consolidated and developed with 35,357 square feet ± of commercial space in four separate buildings with 236 parking spaces.

Location: West side of Middletown Parkway at the intersection with US Route 40-A (Old National Pike)

Zoning: GC General Commercial. This district permits numerous uses along with numerous special exception uses, including shopping centers, with Board of Appeals approval. The intent of the district is to provide areas for general commercial activities that service the needs of the entire community and the surrounding area. The location should be such that stores and commercial activities can be grouped together in an attractive and convenient manner that will not infringe on residential areas.

Present Use: Agricultural land.

COMMENTS

The following issues should be considered in your review of this Concept Sketch Plan:

1. **GC District Uses** – Shopping centers are a special exception use in the GC District. The Town's definition of a shopping center is "one or more retail and/or commercial establishments on a lot greater than one acre, planned, developed, owned and managed as a unit with off-street parking provided on the property and related in size, type and number of shops to the trade area that the unit serves." The Middletown Board of Appeals approved the special exception use of a shopping center on May 8, 2013 conditional on the applicant receiving approval from the Planning Commission of an exemption from the yard and buffer requirements set forth within the specific standards for shopping centers, as well as Planning Commission approval for the landscaping plan and architectural review approval. Special exception regulations for shopping centers include a minimum lot area of five acres, a buffer yard of 100 feet in all instances where

the site adjoins an R district, and all buildings must be setback at least 50 feet from any property line and 100 feet from a street line.

The consolidation of the two parcels into one 7.0 acre lot meets the 5-acre minimum lot area. One of the four buildings is not setback the minimum of 50 feet from property lines, and there are not buffer yards of 100 feet where the site adjoins an R district. The buffer yard is to be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes. The size of the buildings, with the largest proposed as 13,000 square feet meet the maximum building size (60,000 square feet) for any individual unit in the shopping center; the proposed shopping center does not exceed 200,000 square feet of total floor area.

Additional special exception uses for the General Commercial district that would need a recommendation from the Planning Commission and subsequent approval by the Board of Appeals would be gas stations, private and commercial schools, retail of construction and building materials, vehicle repair and services, animal kennels and clinics, child care centers, and self-storage rental spaces for storage of personal goods.

2. **Sketch plan requirements** – The sketch plan is a voluntary submission on the part of the developer in order to obtain the planning commission's comments with regard to the subdivider's proposed development prior to making detailed drawings and formal application for preliminary plat approval. According to Chapter 16.16.020 of the Municipal Code, the sketch plan must contain the following information:

- Vicinity map indicating the location of the property with respect to surrounding property and streets
- Title information – proposed name, scale of plat, and date
- Name and address of owner and person responsible for the preparation of the plan
- Northpoint
- Boundary of proposed subdivision
- Location, widths and names of all streets on or adjoining the subdivision
- Location of existing utilities on or within 200 feet of the tract
- The layout of all proposed and existing lots with approximate or typical dimensions and minimum area. Lots should be numbered for review reference
- Zoning district classification, water and sewer classification of master plan for the subject tract

The sketch plan reviewed in November 2012 contains all of the required information. The latest submission is a Board of Appeals Site Plan which shows a further reduction of 8 parking spaces and an increase in building square footage of 657 square feet.

3. **Consistency with Comprehensive Plan** – The proposed development appears to be consistent with the goals and objectives of the comprehensive plan. A portion of the property was annexed into the town in 1991. The site is not within an historic survey district and is not a historic site. The Municipal Growth Element states as an objective that commercial uses be designed and scaled to be compatible with the neighborhood in which it is located. There are however environmentally sensitive areas on the site of steep slopes greater than 25%.

4. **Transportation plan** – The developer of the Glenbrook subdivision was required to construct a section of the southern parkway between East Main Street and Holter Road (now known as the Middletown Parkway) to State standards (150' right-of-way with 2 lanes of 24' wide pavement) and dedicate to the Town the entire right-of-way until such time the State would take over the road. Middletown Parkway is considered a minor arterial and a Town Road. The average annual daily traffic count is less than 2,500. Old National Pike is considered a minor arterial and a State Road. The average annual daily traffic count on Old National Pike is greater than 10,000. The proposed development concept plan shows a right-in only ingress into the site on Old National Pike, and two ingress/egress accesses on Middletown Parkway. Ingress to the site from Old National Pike will need approval from State Highway Administration. Shopping centers are required to have access on a minor arterial. There are no walkways or trails planned in the area of the proposed development, although the plan does show sidewalks along Middletown Parkway and within the development.
5. **Traffic Impact Study** – A traffic impact study was prepared by Traffic Concepts, Inc. The key intersections (US 40A @ Middletown Parkway, Middletown Parkway @ North Site Access, Middletown Parkway @ Glenbrook Drive/South Site Access, and Middletown Parkway @ Holter Road) were analyzed to determine the peak hour level of service (LOS) using the required MD SHA Critical Lane Volume (CLV) method. A conservative 1% growth rate was applied to the two-year build-out period for the background condition. For the future condition, the proposed land uses used were a pharmacy with drive-thru, a fast food restaurant, a high turnover restaurant, and specialty retail. The analysis study results show the US 40A @ Middletown Parkway intersection operating at a "D" or better level of service; all other intersections showed "A" levels of service. Using the CLV method, the level of service "D" condition is the accepted MD SHA and Frederick County threshold standard for intersections located outside of agricultural/rural areas.
6. **Lot requirements** – Within the GC General Commercial district, there is no minimum lot area or minimum lot width. The front yard depth is 40 feet, side yards are to be a minimum of 20 feet and the rear yard depth is to be at least 40 feet. Yard requirements in the GC district are to be measured from the parking area or structure, whichever is closest to the lot line. However, Section 17.20.070 of the Middletown Municipal Code states that upon a review and approval of the planning commission, subdivision lots in shopping centers may not have to comply with yard or frontage requirements of the zoning ordinance or subdivision regulations, providing the planning commission finds the appropriate recorded easements are established to provide perpetual access to public streets and public utilities.
7. **Parking requirements for shopping centers** – The specific standards for a shopping center regarding parking are that parking be provided at the minimum ratio of 5.5 parking spaces for each 1,000 square feet of total floor area. Given the proposed square footage of 35,357 square feet, 195 spaces would be required. The plans show a proposed total of 236 spaces.

Under the off-street parking regulations in Section 17.32.060, the parking spaces needed would be one per 90 square feet of gross floor area for eating establishments and one per 150 square

feet of gross floor area for retail stores or shops. Given those numbers and the uses proposed in the traffic impact study, this could mean a minimum of 261 to 306 spaces needed.

8. **FRO** – No forest or trees with dbh (diameter base height) greater than 30” exist on the site. However, a forest stand delineation will need to be prepared and submitted for approval.
9. **Stormwater management approval by Frederick County** – A stormwater management plan based on the current configuration of the buildings and parking layout will need to be approved by Frederick County. A stormwater management concept plan based on the sketch plan reviewed in June 2012 was submitted to and approved by Frederick County as the plan appeared to be acceptable to them.

This review will be included in the Middletown Planning Commission materials for the May 20, 2013 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be May 15, 2013.

cc: David Lingg, Lingg Property Consulting
Mark Crissman, DMW
Nancy Newton
Jeffrey and Lera Straits
John Thomas Moser Jr.
Robert and Helene Fulton
Eric Moser

Middletown Planning Office

MEMORANDUM

Date: 5/2/2013
Hansen#

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **ICE CREAM/FAST FOOD RESTAURANT SITE PLAN**
Tax Map Parcel #03-0128504
Applicant: Randy Bilder/Mauluda Ahmed
Property Owner: same
Plan Dated: April 30, 2013
Date Received: April 30, 2013

GENERAL INFORMATION

Proposal: Change of use of existing building for an ice cream parlor/fast food restaurant. No new building square footage is proposed.

Location: 5 East Main Street, on north side of Main Street just east of Route 17 (North Church Street).

Zoning: GC General Commercial. This district permits eating and drinking establishments. The GC district is intended to provide areas for general commercial activities that service the needs of the entire community and the surrounding area.

Present Use: Vacant, but previously was a beauty salon.

COMMENTS

The following issues should be considered in your review of this Site Plan:

1. **Use** – The proposed use is for a small ice cream parlor and fast food restaurant serving ice cream from the Pennsylvania Dutch Dairy and fried foods such as French fries, chicken fingers, breaded mushrooms, onion rings and pierogies. Business hours would be 11:00am – 10:00pm during warmer weather and shortened hours during the colder months. The business would hire local high school and college students as the adjacent Subway has done.
2. **Prior use** – The prior use was the Jo Michell hair salon.
3. **Parking** – Based on the proposed square footage which is about 288 square feet (Section 17.32.060), the ice cream parlor use would require one parking space per 90 square feet of gross floor area for an eating establishment. The parking spaces needed for the use would then be 3 spaces. The previous hair salon use required one parking space per 300 square feet of gross floor

area; thus the previous use required 1 space. The aerial photo indicates that there 17 total spaces for the Subway and adjoining business. The total square footage of the building is about 1,480 which would require 16 parking spaces for the existing use and the proposed use. Section 17.32.060 does allow the planning commission to waive or reduce the parking requirements in the town commercial district or any other instances based on a demonstrated hardship. Staff would recommend that the applicant purchase vehicle stops to place where needed in the parking lot and move existing stops out of the sidewalk area.

4. **Signage** – Any proposed signage is to be presented to the town zoning administrator for approval before being installed. According to Section 17.36.060, signage for multiple businesses located on one lot shall be entitled to a maximum of two signs per business with no lot permitted to have erected both a projecting sign and a monument sign or more than one monument sign. The Subway signs are pre-existing non-conforming signs and may not be enlarged, extended, relocated, structurally altered or changed in nature or character. Sign regulations also state that the wording and content of a lawful non-conforming sign may be changed to accommodate and reflect a change in use of the property from one business to a similar business occupying the same property; and a lawful non-conforming sign shall either be removed or altered to comply with the requirements of this chapter when there is a substantial change in the use of the property on which the sign is located. Also, any sign which advertizes, identifies, or is otherwise related to or associated with a business which is no longer in existence shall either be removed from the premises or altered or resurfaced by the owner of the property on which the sign is located so that the sign will not display visual communications pertaining to the former business. Ultimately, the town would like the existing non-conforming sign that currently advertizes the Subway restaurant and the Jo Michell Hair Salon to be replaced by a monument sign that is a maximum eight feet in height, or remove the sign altogether.
5. **Lighting** – Onsite lighting is existing as shown in the attached photos. If any additional lighting is proposed, it should be indicated on the plans and should be so placed as to mitigate impact on adjacent properties or public rights-of-way.
6. **Lot requirements** – The proposed use is to be located in an existing building which previously had been used for a hair salon business. The building pre-dates the zoning ordinance and does not meet current setback requirements.
7. **Site plans required for approval by planning commission** – According to Section 17.32.230, site plans are required for all commercial buildings unless all of the following conditions are met: A. There is no change in the amount of parking needed; B. The intensity of use has not changed; C. There are no exterior structural changes; D. The building or use has not been grandfathered; E. The building or site meets all existing regulations for the district in which it is located. The site plan does require approval by the planning commission due to a change in the amount of parking needed and a change in the intensity of use.

The site plan shall show proposed building location and use, driveways, parking and loading areas, landscaping, water and sewer facilities, storm drainage facilities and street lighting, all showing relationships to adjacent development. The planning commission is being provided an

aerial photo that shows the building where the change of use is being proposed as well as an indoor layout of the proposed use.

8. **Water and Sewer requirements** – The site has existing water and sewer.
9. **Grease trap** - The applicant has already spoken to Bruce Carbaugh, Town Engineer, about the requirements of a grease trap.
10. **Approval by Frederick County** - A change of use application will need to be filed with the Frederick County Permits department.

This review will be included in the Middletown Planning Commission materials for the May 20, 2013 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be May 15, 2013.

cc: Randy Bilder

DATE: April 29, 2013

TO: Middletown Planning Commission

FROM: Randy Bilder
Mauluda Ahmed

SUBJECT: Ice Cream – Fast Food Restaurant

ADDRESS: 5 East Main Street
Middletown, MD 21769

Currently we own the commercial property located at the above address which has two separate retail spaces inside of the building. One space is occupied by the Subway store, which we also own, while the other space at this time, and for the last 16 months, has remained vacant. Previously there had been a hair salon occupying that retail space.

Our proposal is to make a small Ice Cream Parlor/Fast Food Restaurant in that vacant retail space. The ice cream to be sold is made at a Pennsylvania Dutch Dairy in the Pennsylvania Dutch Country of Schuylkill County, Pennsylvania and is only locally sold within 50 miles of that dairy. The ice cream parlor would sell the usual items such as ice cream cones, floats, ice cream waffle sandwiches, smoothies, milkshakes and all assorted related ice cream items you would normally find in an ice cream parlor. We would also offer for sale a small amount of fried food such as, but not limited to, boardwalk type French fries, chicken fingers, breaded mushrooms, onion rings and pierogies.

As you can see on the plot plan we plan to have just a small eating counter with approximately 5 to 8 stools against the one wall in the customer area if possible depending on the room available. We also have an existing patio type area which we would renovate somewhat using lattice, lighting, and picnic type tables with umbrellas and whatever else needed to make it a pleasant eating environment for customers. The retail space already has an existing bathroom that meets ADA rules for size. Any freezer/refrigerators needed would be placed inside the building in the rear storage area. There is plenty of parking as we also have a huge gravel parking lot behind the building which traffic can access off of Church Street.

We feel this type of establishment with what we will be offering, coupled with our current Subway store, will attract more customers into both establishments. According to our Subway Surveys this Subway store is rated as one of the top Subway stores in the county due to its customer service and quality of food. Our Subway store employs numerous high school and college students who live in Middletown, some who have worked at the store for years. This new establishment would utilize our local work force creating new jobs as well as a new place for students and residents to come and enjoy good food and congregate together as a community.

RECEIVED

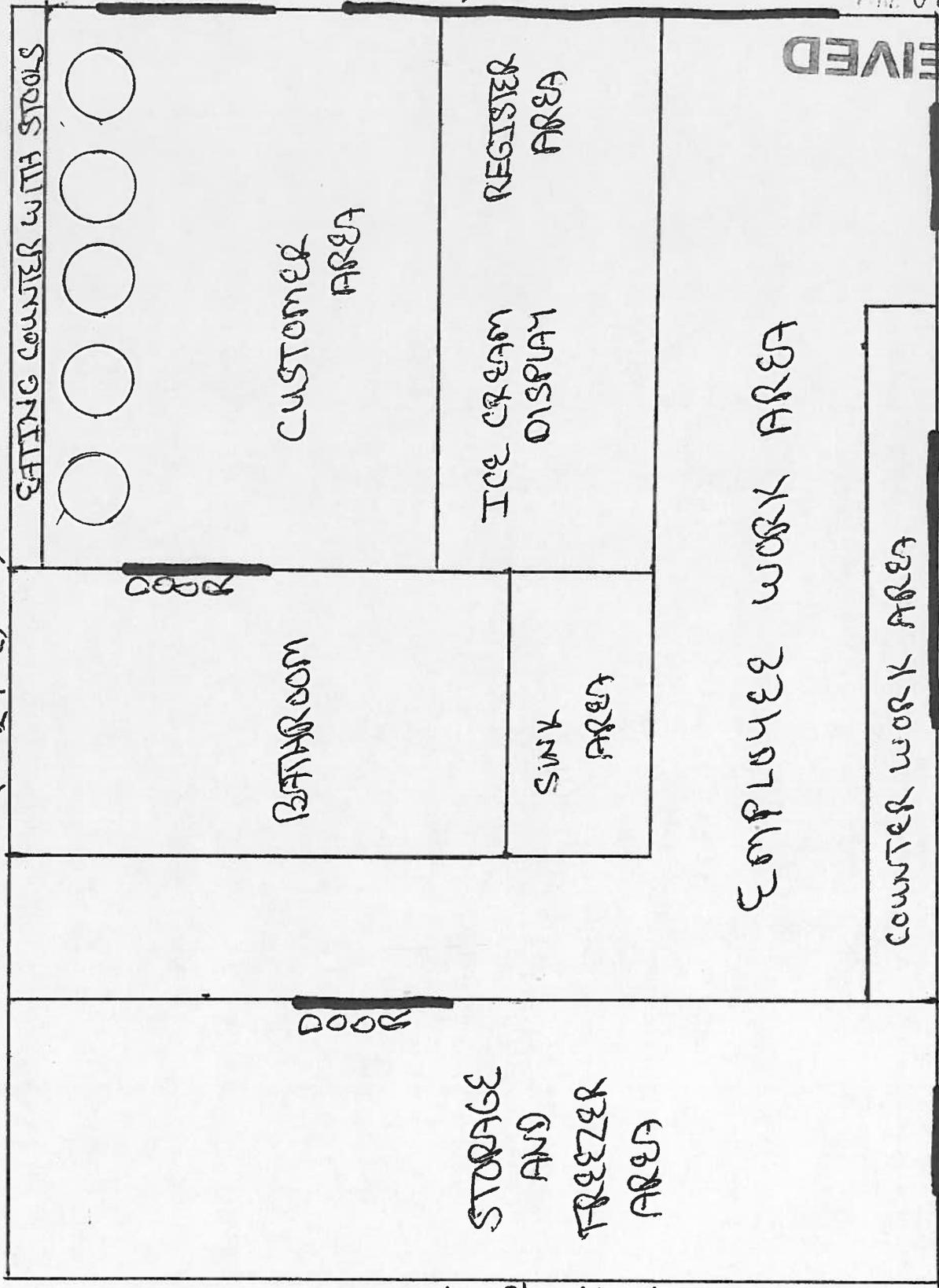
APR 30 2013

TOWN OF MIDDLETOWN, MD.

BUILDER / FINANCED
240-344-7996

SUBWAY STORE (NOT TO SCALE)

← 24'-5" →



FRONT

REAR
← 11'-0" →

RECEIVED

APR 30 2013

TOWN OF MIDDLETOWN, MD.

SEPARATE PATIO AREA WITH PICNIC TABLES



SUBWAY
Jo Michell
HAIR SALON

Welcome to
HISTORIC
MIDDLETOWN
Founded 1787

NO
TURN
ON RED

ARNETT
BUILDING
PERCENT
PROPERTIES
Sallymaster
Toll Free Service

05/09/2013





100 NORTH CHURCH STREET

10 EAST GREEN STREET

17 EAST MAIN STREET

15 EAST MAIN STREET

13 EAST MAIN STREET

11 EAST MAIN STREET

12 SOUTH CHURCH STREET

14 EAST MAIN STREET

EAST MAIN STREET

EAST MAIN STREET

5 EAST MAIN STREET

6 NORTH CHURCH STREET

N CHURCH STREET

EAST MAIN STREET

2 EAST MAIN STREET

5-7 West Main Street

101 GARAGE DRIVE

5-7 West Main Street

1-3 WEST MAIN STREET

5-7 West Main Street

2 WEST MAIN STREET

8 WEST MAIN STREET

10 WEST MAIN STREET

14 WEST MAIN STREET

13 WEST MAIN STREET



TO: The Burgess and Commissioners
FROM: Main Street Manager, Becky Reich
RE: Parking/Signage/Wayfinding
DATE: April 4, 2013

ISSUE:

Main Street Middletown was asked to investigate possible solutions to signage and parking concerns that have been brought up recently with the expansion of the Main Cup and new businesses in Middletown. Main Street was happy to investigate signage and parking as this fits into our program areas of Economic Development and Design.

ANALYSIS:

Main Street proposed the idea of adding way-finding signage at strategic locations in Town to help direct visitors to shopping, dining, parking and attractions. By canvassing Main Street and MD 17, and points in-between, Main Street generated a list of locations that would ideal for such way-finding signage.

Number	Location
1	Eastbound, West Main near Knoll Side Lane
2	Eastbound, West Main Open Space at Gladhill's
3	Eastbound, West Main across from Willow
4	Eastbound, West Main at Elm Street Parking Lot
5	Westbound, West Main at Town Hall
6	Westbound, East Main at Prospect Street
7	Northbound, South Church Street at Washington
8	Northbound, South Church Street at Franklin Street
9	Northbound, South Church Street at Chesterbrook
10	Southbound, North Church Street at Cemetery
11	Southbound, North Church Street at Cemetery and Green
12	Washington Street, leaving Main's Parking Lot

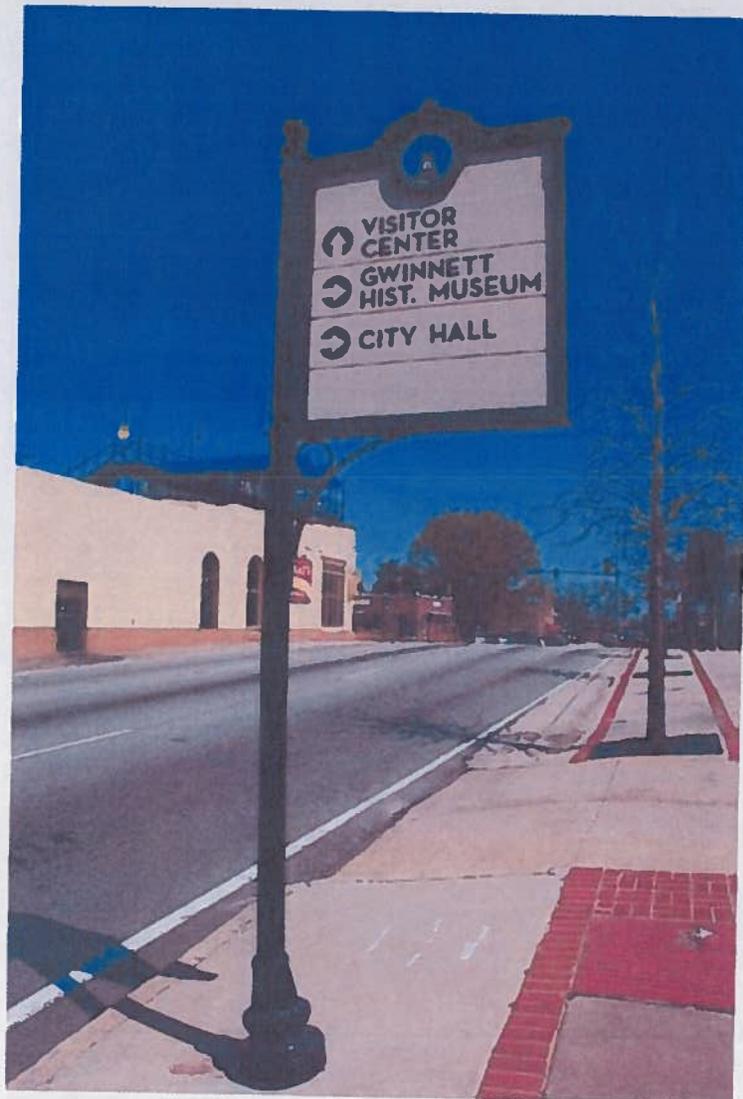
Main Street recognizes the costs associated with the purchase and installation of the banner poles; therefore, we have identified Priority Locations concentrated in the Main Street area. These include Location numbers 4, 5, 7, 11, and 12.

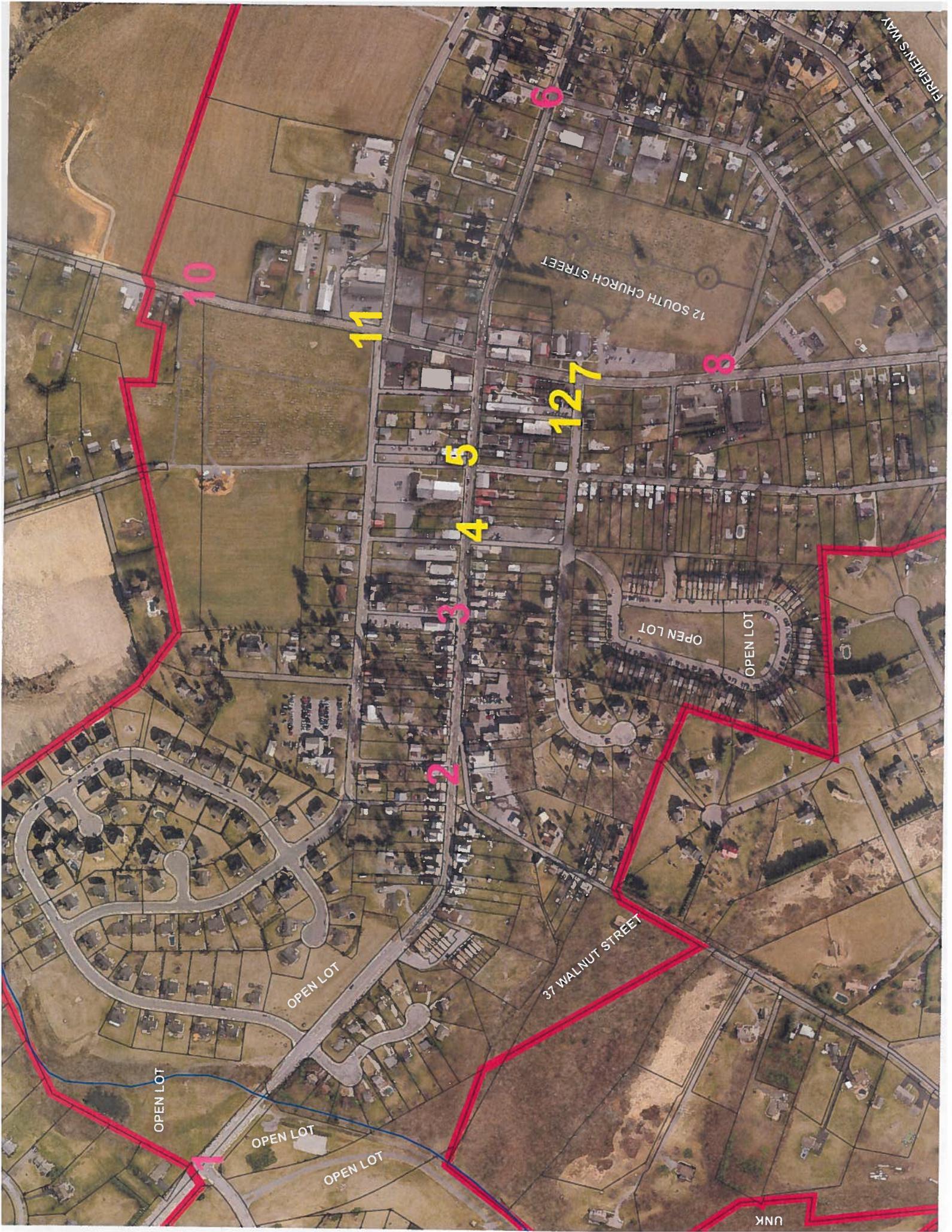
- Location 4 and 5 are existing Banner poles;

- Location 11 and 7 would require the purchase of 2 Banner poles.
- Location 12, Main Street would recommend the purchase of a smaller, sign pole.
- In addition, Main Street would recommend removing the existing signage located along Washington Street that point to the Elm Street Parking Lot, and the green Parking signs along Main Street.

Location 1, 2, 3, 6, 8, 9, and 10 would give Middletown the most complete, most friendly and welcoming coverage, but could be purchased later.

The Design Committee reviewed over 20 styles of way-finding signs and the Committee recommended the following style sign with a few design changes such as a supporting bracket that matches the bracket on the street signs. Instead of using exact place names, the Main Street Board recommends using the words Dining, Shopping, Parking, and Attractions. We feel this wording offers the most flexibility for future growth.





10

11

9

8

12 SOUTH CHURCH STREET

127

5

4

3

OPEN LOT

OPEN LOT

2

OPEN LOT

37 WALNUT STREET

OPEN LOT

OPEN LOT

OPEN LOT

UNK

FIREMAN'S WAY

Town of Middletown Planning Department

To: Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 5/8/2013

RE: Monthly Planning Update

Major Subdivisions:

Coblentz on Green – Master Plan approval – approved November 10, 2008
SWM Concept Plan – approved by County October 15, 2010
Water Tap agreement approved by Burgess & Commissioners – March 2012
Planning Commission approved Forest Stand Delineation/Forest Conservation Plan – Jan 2013
Master Plan Amendment approved - March 11, 2013
Planning Commission conditionally approved preliminary plan – March 18, 2013

Foxfield Section 4- FRO plantings have all been installed. 16 homes still to be built.
1st year FRO review – 67% compliance – 232 additional trees needed

Minor Site Plans and Subdivisions:

AMVETS Expansion Plans – Site Plan approved – October 15, 2012; (Plans expire 10/15/2015)

Chesterbrook Apts/Middletown Valley Apts - Site Plan approved – July 17, 2006
Improvement Plans signed by County – July 17, 2008
Improvement Plans approved and signed – September 16, 2008
SWM waiver received from County – May 12, 2011
SWM admin waiver shall expire on May 4, 2017; final plans approved prior to May 4, 2013.

Coblentz Grove minor subdivision – Preliminary/Final Plat conditionally approved – Nov. 15, 2010
FSD & Forest Conservation Plan approved – November 15, 2010
Improvement Plans conditionally approved – February 21, 2011
Final Plat approved – July 18, 2011 (recorded – October 24, 2012)
Building permits applied for – October 30, 2012

Cone Branch Walking Trail – Concept plans approved – March 19, 2012
Improvement plans conditionally approved – January 21, 2013

Fire Co Activities Center- Site Plan conditionally approved – July 21, 2008
Site Plan resubmitted and SWM Concept/Dev. Plan submitted – Sept. 6, 2011
Revised Site Plan conditionally approved – October 17, 2011; (Plans expire October 17, 2014)
SWM Plan approved by Frederick County – November 3, 2011
Improvement Plans conditionally approved – April 22, 2013
Revised Site Plan conditionally approved – April 22, 2013

Fire Station – Concept plan submitted to PC for comments – April 22, 2013

Hollow Creek – Revised Site Plan approved and signed – October 14, 2010
Revised Site Plan (leaderboard) approved – February 21, 2011; (Plans expire February 21, 2014)

Hollow Creek Golf Course SWM Pond #1 Revision plans submitted to County 12/1/2010
Plans approved by County – December 22, 2010
Revised Plans submitted for PC review – December 30, 2010
Revised Plans submitted to SCD for review – January 5, 2011

Horman Apartments- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010

Jiffas – Site Improvement Plan conditionally approved – October 20, 2008
Forest Conservation Plan approved – October 20, 2008

Middletown H.S. Stadium Concession Stand Expansion Plan – approved June 18, 2012
(Plans expire June 18, 2015)

Middletown H.S. C-container site plan – conditionally approved February 18, 2013

Miller (Ingalls) – Concept and Phase I & II Plan submitted – September 20, 2010
Approved and signed – September 27, 2010

Newton Property (Cross Stone Commons) – Concept Plan discussion – June 18, 2012
Concept Plan submitted – October 1, 2012
Traffic Impact Study submitted – October 18, 2012
Revised Concept Plan reviewed by PC – November 19, 2012
BOA Special Exception Use Hearing – May 8, 2013

Potomac Gun Depot – plans conditionally approved – February 18, 2013

Putman – Site Plan conditionally approved- November 17, 2008
Forest Conservation Plan approved – June 16, 2009
Improvement Plans conditionally approved – July 20, 2009
Improvement Plans approved and signed by all agencies – July 2010
Revised Site Plan approved – April 16, 2012; (Plans expire April 16, 2015)

Subway property – site plan submitted for ice cream parlor – April 29, 2013

The Valley School – BOA special exception use hearing – May 8, 2013

Thompson Funeral Home Revised Parking Lot Site Plan – conditionally approved April 22, 2013

Washington Gas Line – plans approved – January 21, 2013

Annexations:

A.C. Jets Property- PC approval of annexation petition of 35.96 acres – December 21, 2009
Public hearing date - Monday, October 11, 2010
Annexation petition denied – October 11, 2010

County Park – Annexation request approved by BOCC – February 7, 2013

Reports: Draft Annual Report – Planning Commission recommended approval – April 22, 2013

Meetings: Western Local Government Exchange – Hagerstown – May 10, 2013

Town of Middletown Zoning Department

To: Middletown Planning Commission

From: Cindy Unangst, Zoning Administrator

Date: 5/8/2013

RE: Monthly Zoning Update

P & Z Issues:

Zoning Code review - ongoing

BOA Hearings:

Received variance request for a 4-foot variance for a swimming pool at 29 Wagon Shed Lane – 3/27/2013. Hearing scheduled – May 8, 2013

Received special exception use request for a child daycare center in the R-2 Residential District – 30 East Green Street – 4/8/2013. Hearing scheduled – May 8, 2103

Received special exception use request for a shopping center in the GC General Commercial District – Middletown Parkway and Old National Pike – 4/8/2013. Hearing scheduled - May 8, 2013

Zoning Violations:

none

Meetings:

April 2013 Zoning Permits	Address	Permit #	M-town	C. Unangst	County
			Received	Approved	Approval
Drum - deck	203 Linden Blvd	108553	3/25/2013	4/24/2013	yes
May – finish basement	3 Woodmere Circle	109039	4/26/2013	4/26/2013	yes
Silverstein – interior renovations	206 Larch Court	109034	4/26/2013	4/26/2013	yes

MEMORANDUM

Date: 5/7/2013

To: Middletown Planning Commission
From: Cindy Unangst, Middletown Staff Planner
RE: Occupancy permit issued

A Change of Use/Tenant permit was issued this month after consideration of the site plan triggers listed in Section 17.32 230 of the Middletown Municipal Code.

Brandenburg storage – to be located at 402 West Green Street, Unit 3, which Perfect Nails by Mary had previously occupied.

There will be no change in the amount of parking needed, and the number of parking spaces needed for the storage use is the same as what was required for the previous commercial use. The intensity of use (storage of sports cards) will be less since no services will be offered at the unit, and therefore does not require site plan approval by the Planning Commission. There are no exterior structural changes and the building or use has not been grandfathered. The Frederick County Permitting Review office recognizes this structure to have a storage occupancy. The permit is conditionally approved by the Office of Life Safety as a new tenant in an existing structure with no architectural changes. Approval by that office is contingent on a field inspection.